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NIMBLE STORAGE, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NIMBUS DATA SYSTEMS, INC.,

Plaintiff,

v.

NIMBLE STORAGE, INC.,

Defendant.

**Case No. CV:11-1214 RS**

**STIPULATED REQUEST FOR ORDER  
EXTENDING BRIEFING SCHEDULE AND  
HEARING DATE ON NIMBUS DATA  
SYSTEMS, INC.'S MOTION FOR  
PRELIMINARY INJUNCTION**

Date: May 12, 2011  
Time: 1:30 p.m.  
Dept. 3  
Judge: Honorable Richard Seeborg

Pursuant to Northern District of California Local Rule 6-2, Plaintiff Nimbus Data Systems, Inc. ("Nimbus Data") and Defendant Nimble Storage, Inc. ("Nimble Storage") (collectively, the "Parties"), through their respective counsel of record, hereby stipulate and agree as follows:

**WHEREAS**, Nimbus Data filed its Motion for Preliminary Injunction on April 7, 2011 (the "Motion"), seeking to enjoin Nimble Storage from continuing to use NIMBLE and NIMBLE STORAGE as trademarks and trade names on the ground that such use constitutes trademark infringement and is likely to cause consumer confusion;

**WHEREAS**, the hearing date on the Motion is currently scheduled for May 12, 2011 at 1:30 p.m. before the Honorable Richard Seeborg;

**WHEREAS**, Nimble Storage's deadline to file an opposition to the Motion is currently set for April 21, 2011, and Nimbus Data's deadline to file a reply is currently set for April 28, 2011;

**WHEREAS**, Nimble Storage requested, and Nimbus Data agreed, to extend the briefing schedule on the Motion so as to allow Nimble Storage an adequate opportunity to investigate and respond to the issues raised in the Motion;

**WHEREAS**, the Parties and the Court would benefit from a short extension of time to allow the parties to fully brief the issues raised by the Motion; and

**WHEREAS**, there have been no other time modifications requested or granted in the case;

**NOW, THEREFORE**, subject to the approval of this Court, and in accordance with Northern District of California Local Rule 6-2, the Parties hereby stipulate and agree as follows:

**1.** The hearing date on the motion is continued to Thursday, June 9, 2011 at 1:30 p.m. in Courtroom 3 before the Honorable Richard Seeborg;

**2.** The deadline for Nimble Storage to file a brief in opposition to the Motion and any evidence in support thereof is extended to Monday, May 9, 2011; and

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2. **STIPULATED REQ. FOR CONTINUATION OF  
HEARING AND EXTENDED BRIEFING SCHEDULE**  
**C-11-01214 RS**